

## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

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WILLIAM C. SPENT, JR. D/B/A SPENT SADDLERY & FEEDS,

PLAINTIFF,

1 221 222 1 2 22

VS.

LONE STAR SILVERSMITH, INC. AND JEFF DEES,

DEFENDANTS.

No. SA-09-CV-0838-XR

## ADR REPORT

## TO THE HONORABLE U.S. DISTRICT JUDGE:

COME NOW, Plaintiff William C. Spent, Jr. d/b/a Spent Saddlery & Feeds ("Plaintiff") and Defendants Lone Star Silversmith, Inc. and Jeff Dees ("Defendants") (collectively the "Parties") and file this ADR Report pursuant to the Court's Scheduling Order and Local Rule CV-88:

The Parties have had informal settlement discussions. The Parties are also preparing a motion for a continuance because of issues related to Plaintiff's health. Plaintiff has been hospitalized because of a very serious health condition. Due to the severity of Plaintiff's health issues, the Parties have agreed to schedule a deposition to preserve Plaintiff's testimony before trial. The Parties also plan to attend mediation in July or August 2010.

Stephen A. Kennedy is responsible for settlement negotiations for Plaintiff. Richard A. Sparr, Jr. is responsible for settlement negotiations for Defendants. Counsel for the Parties hereby certify that their clients have been informed of the ADR procedures available in this

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district. The Parties have evaluated the need for alternative dispute resolution and agree that mediation is appropriate. The Parties jointly selected Gale R. "Pete" Peterson to serve as the mediator. Mr. Peterson will be jointly compensated by the Parties.

Respectfully Submitted,

By: <u>/s/ Stephen A. Kennedy</u>
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ATTORNEY FOR PLAINTIFF WILLIAM C. SPENT, JR. D/B/A SPENT SADDLERY & FEEDS By: /s/ Richard A. Sparr, Jr.
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LONE STAR SILVERSMITH, INC. AND

## CERTIFICATE OF SERVICE

JEFF DEES

On June 25, 2010, I electronically submitted the foregoing document to the Clerk of the U.S. District Court, Western District of Texas, using the electronic case filing system of said Court. I hereby certify that I have served all counsel and/or *pro se* parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Stephen A. Kennedy Stephen A. Kennedy